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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:10-cv-01713-RLW**

BEVERIDGE & DIAMOND, P.C. v. UNITED STATES	Date Filed: 10/07/2010
DEPARTMENT OF HEALTH AND HUMAN SERVICES et al	Date Terminated: 06/01/2011
Assigned to: Judge Robert L. Wilkins	Jury Demand: None
Cause: 05:552 Freedom of Information Act	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: U.S. Government Defendant

Plaintiff

BEVERIDGE & DIAMOND, P.C.

represented by **David Austin Barker**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Defendant

**UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES**

represented by **Michelle Lo**
U.S. ATTORNEY'S OFFICE
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(202) 514-5134
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**NATIONAL INSTITUTE OF
ENVIRONMENTAL HEALTH
SCIENCES**

represented by **Michelle Lo**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/07/2010	<u>1</u>	COMPLAINT against NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 350, receipt number 4616033269) filed by BEVERIDGE & DIAMOND, P.C.. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet)(rdj) (Entered: 10/07/2010)
10/07/2010		SUMMONS (4) Issued as to NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 10/07/2010)
10/07/2010	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BEVERIDGE & DIAMOND, P.C. identifying Corporate Parent NONE for BEVERIDGE & DIAMOND, P.C. (rdj) (Entered: 10/07/2010)
10/08/2010	<u>3</u>	ERRATA by BEVERIDGE & DIAMOND, P.C. <u>1</u> Complaint, filed by BEVERIDGE & DIAMOND, P.C.. (Attachments: # <u>1</u> Exhibit s 1 and 2 to Complaint)(Barker, David) (Entered: 10/08/2010)
10/12/2010	<u>4</u>	NOTICE of Appearance by Kathryn E. Szmuszkovicz on behalf of BEVERIDGE & DIAMOND, P.C. (Szmuszkovicz, Kathryn) (Entered: 10/12/2010)

10/14/2010	5	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 10/7/2010 (Barker, David) (Entered: 10/14/2010)
10/14/2010	6	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES served on 10/7/2010 (Barker, David) (Entered: 10/14/2010)
10/15/2010	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed in a FOIA Case as to the U.S. Attorney General, served on 10/7/2010.(dr) (Entered: 10/15/2010)
10/15/2010	8	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed in a FOIA Case as to the U.S. Attorney for DC, served on 10/7/2010, answer due 11/8/2010 (dr) (Entered: 10/15/2010)
11/04/2010	9	NOTICE of Appearance by Michelle Lo on behalf of NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Lo, Michelle) (Entered: 11/04/2010)
11/04/2010	10	Consent MOTION for Extension of Time to File Answer re 1 Complaint, by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Lo, Michelle) (Entered: 11/04/2010)
11/05/2010		MINUTE ORDER granting 10 Defendants' Motion for Extension of Time to Answer 1 Plaintiff's Complaint. Defendants shall respond no later than December 8, 2010. Signed by Judge Rosemary M. Collyer on 11/5/10. (lcrmc1) (Entered: 11/05/2010)
11/05/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 12/8/2010. (cdw) (Entered: 11/08/2010)
12/07/2010	11	Consent MOTION for Extension of Time to File Answer re 1 Complaint, or <i>Otherwise Respond</i> by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Lo, Michelle) (Entered: 12/07/2010)
12/07/2010		MINUTE ORDER granting 11 Defendants' Consent Motion for Extension of Time to Answer or Otherwise Respond. Defendants shall file an answer or otherwise respond no later than January 13, 2011. Signed by Judge Rosemary M. Collyer on 12/7/10. (lcrmc1) (Entered: 12/07/2010)
12/07/2010		Set/Reset Deadlines/Hearings: Answer due by 1/13/2011. (cdw) (Entered: 12/08/2010)

01/13/2011	12	ANSWER to 1 Complaint, by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Lo, Michelle) (Entered: 01/13/2011)
01/20/2011		Case reassigned to U.S. District Judge Robert L. Wilkins. Judge Rosemary M. Collyer no longer assigned to the case. (ds) (Entered: 01/20/2011)
02/24/2011	13	MOTION for Summary Judgment by BEVERIDGE & DIAMOND, P.C. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Text of Proposed Order)(Barker, David) (Entered: 02/24/2011)
02/24/2011	14	MOTION to Expedite <i>and Set a Prompt Briefing Schedule for Plaintiff's Motion for Summary Judgment</i> by BEVERIDGE & DIAMOND, P.C. (Attachments: # 1 Text of Proposed Order)(Barker, David) (Entered: 02/24/2011)
03/04/2011	15	MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment <i>and to File Defendants' Motion for Summary Judgment; and Opposition to Plaintiff's Motion to Expedite</i> by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 03/04/2011)
03/04/2011	16	Memorandum in opposition to re 14 MOTION to Expedite <i>and Set a Prompt Briefing Schedule for Plaintiff's Motion for Summary Judgment and Defendants' Motion for Extension of Time to File Defendants' Motion for Summary Judgment and Opposition to Plaintiff's Motion for Summary Judgment</i> filed by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 03/04/2011)
03/08/2011	17	REPLY to opposition to motion re 14 MOTION to Expedite <i>and Set a Prompt Briefing Schedule for Plaintiff's Motion for Summary Judgment</i> filed by BEVERIDGE & DIAMOND, P.C.. (Barker, David) (Entered: 03/08/2011)
03/08/2011	18	Memorandum in opposition to re 15 MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment <i>and to File Defendants' Motion for Summary Judgment; and Opposition to Plaintiff's Motion to Expedite</i> MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment <i>and to File Defendants' Motion for Summary Judgment; and Opposition to Plaintiff's Motion to Expedite</i> filed by BEVERIDGE & DIAMOND, P.C.. (Barker, David) (Entered: 03/08/2011)

03/08/2011	19	REPLY to opposition to motion re 15 MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment <i>and to File Defendants' Motion for Summary Judgment; and Opposition to Plaintiff's Motion to Expedite</i> MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment <i>and to File Defendants' Motion for Summary Judgment; and Opposition to Plaintiff's Motion to Expedite</i> filed by NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Lo, Michelle) (Entered: 03/08/2011)
03/09/2011		MINUTE ORDER denying 14 Motion to Expedite and Set a Prompt Briefing Schedule for Plaintiff's Motion for Summary Judgment. Signed by Judge Robert L. Wilkins on 3/9/2011. (tcb) (Entered: 03/09/2011)
03/09/2011		MINUTE ORDER granting 15 MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment and to File Defendants' Motion for Summary Judgment; it is hereby ORDERED that Defendants shall have to, and including, April 13, 2011, to file their motion for summary judgment and opposition to Plaintiffs motion for summary judgment.Signed by Judge Robert L. Wilkins on 3/9/2011. (tcb) . (Entered: 03/09/2011)
04/07/2011	20	Joint MOTION to Stay <i>Further Proceedings for Thirty Days</i> by BEVERIDGE & DIAMOND, P.C., NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 04/07/2011)
04/08/2011	21	ORDER granting 20 Joint Motion to Stay Further Proceedings forThirty Days; it is FURTHER ORDERED that this action is STAYED until Monday, May 9, 2011, at which time the parties shall file a joint status report advising as to the need for further proceedings in this case. Signed by Judge Robert L. Wilkins on 4/8/2011. (tcb) (Entered: 04/08/2011)
05/09/2011	22	Joint MOTION for Order <i>Extending Stay and Status Report</i> by BEVERIDGE & DIAMOND, P.C., NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 05/09/2011)
05/09/2011	23	STATUS REPORT by BEVERIDGE & DIAMOND, P.C., NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (See Docket entry 22 to view document)(rdj) (Entered: 05/10/2011)
05/10/2011	24	ORDER granting 22 Joint MOTION for Order Extending Stay ;and it is FURTHER ORDERED that this action is STAYED until Tuesday, May 31, 2011, at which time the parties shall file a joint status report, if necessary, advising as to the need for further proceedings in this case. Signed by Judge Robert L. Wilkins on 5/10/2011.

		(tcb)). (Main Document 24 replaced on 5/11/2011) (ztcb,). (Entered: 05/10/2011)
05/31/2011	25	STIPULATION of Dismissal by BEVERIDGE & DIAMOND, P.C., NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Lo, Michelle) (Entered: 05/31/2011)

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